

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO.** \_\_\_\_\_

**v.** : **DATE FILED:** \_\_\_\_\_

**SEAN FERRELL** : **VIOLATIONS:**

: **21 U.S.C. §841(a)(1)(possession with**

: **intent to distribute cocaine - 1 count)**

: **18 U.S.C. §924(c)(carrying a firearm**

: **during and in relation to a drug**

: **trafficking offense - 1 count)**

: **18 U.S.C. § 922(g)(1) (convicted felon in**

: **possession of a firearm - 1 count)**

: **18 U.S.C. §922(g)(1) (convicted felon in**

: **possession of ammunition - 1 count)**

: **Notice of additional factors**

: **Notice of forfeiture**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

From on or about September 30, 2004 to on or about October 5, 2004, at  
Philadelphia, in the

Eastern District of Pennsylvania, defendant

**SEAN FERRELL**

knowingly and intentionally possessed with intent to distribute a mixture or substance containing  
a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about October 5, 2004, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**SEAN FERRELL**

knowingly carried a firearm, that is, (1) a loaded Taurus handgun, serial number TXD61093; and (2) a loaded Taurus handgun, serial number TXD61094, during and in relation to a drug trafficking crime for which defendant FERRELL may be prosecuted in a court of the United States, that is, possession with intent to distribute cocaine in violation of Title 21, U.S.C. Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about the October 5, 2004, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**SEAN FERRELL,**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, that is, a Taurus, Model PT92AR, 9mm handgun, serial number TXD61093, loaded with 11 live rounds; and a Taurus, Model PT92AR, 9mm handgun, serial number TXD61094, loaded with 9 live rounds.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about the October 5, 2004, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**SEAN FERRELL,**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce ammunition, that is, two Taurus magazine clips each loaded with 7 live rounds of 9mm caliber ammunition manufactured by Remington, Federal, Eldorado Cartridge Corporation and Companhia Brasileira de Cartuchos.

In violation of Title 18, United States Code, Section 922(g)(1).

## **NOTICE OF ADDITIONAL FACTORS**

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. Defendant SEAN FERRELL committed the offenses charged in Counts Three and Four of this indictment after having been convicted as an adult over the age of 18 years, in a court of the Commonwealth of Pennsylvania, of two felony offenses, that is, a controlled substance offense and a crime of violence as defined in U.S.S.G. § 2K2.1(a)(2), Application Note 5, and U.S.S.G. § 4B1.2(a), as follows:

- a. On or about April 18, 1997 possession with intent to distribute, a control substance offense, punishable by a term of imprisonment exceeding one year, docketed at 9206-0050 in the Philadelphia Court of Common Pleas.
- b. On or about June 9, 1998, mayhem and maiming with use of a firearm a crime of violence, punishable by a term of imprisonment exceeding one year, in the Commonwealth of Virginia.

2. Defendant SEAN FERRELL committed the instant offenses less than two years after release from imprisonment on a sentence of imprisonment exceeding one year and one month, as defined by U.S.S.G. § 4A1.1(a) and (e).

\_\_\_\_\_3. Defendant SEAN FERRELL at the time of the instant offenses was a career offender, as defined in U.S.S.G. § 4B1.1

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**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violations of Title 18, United States Code, Sections 922(g)(1) and 924(c), set forth in Counts Two, Three, and Four of this indictment, the defendant

**SEAN FERRELL**

shall forfeit to the United States of America, the firearms and ammunition involved in the commission of these offenses, including, but not limited to:

- (1) one Taurus, Model PT 92 AR, 9mm handgun, serial number TXD61093;
- (2) one Taurus, Model PT 92 AR, 9mm handgun, serial number TXD61094;
- (3) two Taurus magazines; and
- (4) 34 rounds of 9mm ammunition.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**PATRICK L. MEEHAN**  
**UNITED STATES ATTORNEY**





